

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CYNTHIA JENNINGS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-09-1344-M
	)	
MICHAEL J. ASTRUE,	)	
COMMISSIONER OF THE SOCIAL	)	
SECURITY ADMINISTRATION,	)	
	)	
Defendant.	)	

**ORDER**

On August 6, 2010, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) partially denying disability insurance benefits and supplemental security income benefits. The Magistrate Judge recommended the Commissioner’s decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Report and Recommendation by August 27, 2010. On August 12, 2010, plaintiff filed a response to the Report and Recommendation.<sup>1</sup> The Commissioner has filed no objection.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on August 6, 2010;

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<sup>1</sup>In her response, plaintiff states: “While the ALJ’s findings regarding the period beginning January 1, 2008 might have been implicitly affirmed, the plaintiff is requesting, in the interest of judicial clarity that they be explicitly affirmed.” Because plaintiff is not contesting the finding that she had been disabled since January 1, 2008, *see* plaintiff’s Motion for Reversal of Commissioner’s Final Decision [docket no. 14] at 2, the Court would note that the holdings in this case have no impact on the ALJ’s determination regarding the period beginning January 1, 2008.

- (2) REVERSES the decision of the Commissioner;
- (3) REMANDS for further administrative proceedings consistent with the Report and Recommendation; and
- (4) ORDERS that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

**IT IS SO ORDERED this 1st day of September, 2010.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE